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LETTER FROM ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING
LANDFILL 1 PROPOSED PLAN PUBLIC MEETING FORT SHERIDAN IL
8/4/2004
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



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ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

August 4, 2004

Headquarters, Forces Command
Deputy Chief of Staff, G1
Attn: AFG1-BC (Victor Bonilla)
1777 Hardee Avenue, SW
Fort McPherson, Georgia 30330-1062

Re: Landfill 1 Proposed Plan Public
Meeting, July 29, 2004
Fort Sheridan, Illinois

0970555001/Lake
Fort Sheridan (BRAC)
Superfund/Technical

Dear Mr. Bonilla:

The Illinois Environmental Protection Agency (Illinois EPA or Agency) attended both the Base Realignment and Closure (BRAC) Cleanup Team (BCT) and the Restoration Advisory Board (RAB) meetings on July 29, 2004. The BCT meeting was held at Fort Sheridan at 1:00 p.m. and was followed up by the RAB meeting at 7:00 p.m. at the Hotel Moraine.

Army personnel did not attend either of these meetings. Although Illinois EPA was reluctant to attend a public meeting without adequate representation from the Army, the meeting had already been scheduled and the Army apparently could not find a representative. At the conclusion of the BCT meeting, the Illinois EPA Project Manager asked if there would be any surprises or new information provided at the RAB meeting that evening. The answer from representatives of the Army's contractor, Kemron, was that there would not be any surprises. The RAB meeting also served as the public meeting for the Proposed Plan for Landfill 1.

The Proposed Plan for Landfill 1 presents a remedial action, which is being conducted in accordance with, and to fulfill the statutory requirements of, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Superfund Amendments and Reauthorization Act (SARA), and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). In accordance with Executive Order 12580, the Department of the Army is the Lead Agency for this site. Illinois EPA is the Lead Regulatory Agency for the remaining portions of the former Fort Sheridan still owned by the Department of Defense.

At the RAB meeting, the Tetra Tech representative, a subcontractor to Kemron, provided details of the proposed remedial actions for the on-post and off-post portions of Landfill 1 at Fort Sheridan. The on-post portion of the landfill would be capped and the off-post portion was to be excavated and disposed off-site at an appropriate disposal facility. The presenter went on to state that the removal would only include waste and soil contaminated above the Remedial Action Objectives (RAOs) and that not all of the waste would be removed. It was explained that the Feasibility Study (FS) stated that the contaminated waste was

located between 3 and 21 feet below ground surface and that would be the extent (depth) of the removal. This scope is inconsistent with Illinois EPA's understanding of the July 12, 2004, Proposed Plan. Removing only part of the waste had never been discussed and was not what the Agency concurred with when they reviewed the Proposed Plan for Landfill 1. The Agency believed that the excavation would remove all of the waste and any underlying soil contaminated above the RAOs. The speaker did state that confirmation sampling would follow the removal, but the Army's intent was that some waste would be left in place.

Given the information currently at hand, it appears that one of the Army's contractors has altered the plan for their own benefit. The absence of Army participation at those meetings is likely to have contributed to this indiscretion. This places the Agency in an untenable position, with regards to Fort Sheridan, such that operation in this manner cannot continue. A similar incident occurred previously during preparation of the Proposed Plan for Landfill 5, when the design of the proposed alternative was changed to an engineered barrier, using Illinois' Tiered Approach to Corrective Action Objectives (TACO) regulations, rather than a landfill cap. The Proposed Plan for Landfill 1 submitted to Illinois EPA by the Army stated the off-site portion of Landfill 1 would be excavated. The Illinois EPA interpreted the plan for Landfill 1 to include all of the waste from the off-post portion, not just a portion of it. We believe that any reasonable person would have reached this same conclusion. Unfortunately, the plan that the Illinois EPA concurred with was not the plan presented to the public. **Therefore, Illinois EPA rescinds its concurrence with the Proposed Plan for Landfill 1, pending resolution of this issue and the inaccuracies described below.**

The presenter mentioned during the presentation that the FS for the Department of Defense Operable Unit (DOD OU) stated that contaminant concentrations decreased with depth within the landfill. That statement is inaccurate. The FS, in Section 2.1.3 states, "Analytical data for soil samples collected below the waste zone (in glacial till) show a significant decrease in lead concentrations with depth." It also states in Section 2.1.4, "The analytical results show that contaminant concentrations in soil are decreasing with depth." Nowhere does the FS state that the contamination in the waste material decreases with depth. Therefore, the justification for a partial removal of the waste is flawed.

In addition, the depth of the landfill was stated as being up to 145 feet. This statement is also inaccurate. The landfill could not possibly be that deep. According to the FS, the estimated waste thickness, on-post, ranges from 4.5 to 23 feet. The off-post depth of the waste may be 45 feet below ground surface, but certainly not 145 feet below ground surface. Please review the available data and determine the actual depth of the landfill. These clarifications and the scope of the Army's actual remedy should be provided to the public as soon as possible, so that they may have the proper information upon which to comment.

Although the Agency does not wish to impede the significant progress that has been made in recent months at Fort Sheridan, we cannot support the Army's plan for Landfill 1 until these issues are resolved. The Agency wishes to resolve these issues quickly and prevent future occurrences of similar misunderstandings.

During a conference call between the Army and Illinois EPA on the morning of August 3, 2004, the Army stated that they had been made aware of Tetra Tech's change in scope for the off-post portion of Landfill 1. The Army informed the Agency that a conference call had been conducted the morning of August 2, 2004, between the Army and their Fort Sheridan contractors. During the August 2, 2004 call, the Army

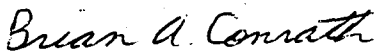
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instructed their contractors that all waste and any soil confirmed to exceed the RAOs were to be removed from the off-post portion of Landfill 1. Those instructions are consistent with the scope of the Proposed Plan for Landfill 1, with which Illinois EPA concurred. The Agency appreciates the Army's rapid response in redirecting the contractors' proposed scope of work. However, it should be noted that had the Army made the remedial decision, which is theirs as the Lead Agency to make, had been in attendance at the meetings, or at least been briefed on the presentation to the RAB prior to that meeting, they could have avoided this situation altogether. At the conclusion of the August 3, 2004 conference call, the Army agreed to update the RAB and the public on this change in scope and also of the other inaccuracies provided during the RAB meeting as soon as possible, since the public comment period has already begun.

Please provide the Illinois EPA with copies of all correspondence or fact sheets provided to the RAB and the public regarding the updated information for Landfill 1.

Illinois EPA awaits resolution of these issues, so that the remedial efforts at Fort Sheridan can move forward. I would also like to receive feedback from the Army on how future incidents of this nature can be prevented. If you wish to discuss these issues or have any questions regarding anything in this correspondence, you may contact me at 217/557-8155 or via e-mail at Brian.Conrath@epa.state.il.us.

Sincerely,



Brian A. Conrath
Remedial Project Manager
Federal Facilities Unit
Federal Site Remediation Section
Bureau of Land



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cc: Owen Thompson, USEPA (SR-6J)
Mark Shultz, US Navy - EFA Midwest
Kurt Thomsen, Fort Sheridan EC

Chris Boes, USAEC
Kurt Zacharias, US Army Reserve